

REMARKS

The Applicants wish to clarify certain comments which were made in connection with one of the cited prior art references, European Patent Application No. 0 151 855 ("Perks et al."), in the Amendment filed on March 8, 2004 ("Amendment"). It is noted that the Perks et al. reference is assigned to the same Assignee as the present application.

On page 13 of the Amendment, the Applicants stated that the Perks et al. reference "is specific for ID (identification) of microorganisms not detection of growth". On page 14 of the Amendment, the Applicants further stated that the Perks et al. reference "does not teach growth detection".

While these statements are correct in that the Perks et al. reference does not have as its object the detection of microorganism growth as such, the microorganism identification method taught by Perks et al. does involve as underlying steps the growth of microorganisms and the detection of such growth by infrared analysis. See, e.g., Perks et al. at page 1, lines 3-10; page 6, lines 19-23; page 11, lines 19-22; page 14, lines 17-31; page 16, lines 5-8; and Fig. 8.

The Applicants believe that the claims of this application are patentable for the reasons of record. However, the additional comments herein concerning the Perks et al. reference are provided so that the Examiner will be fully informed.

Respectfully submitted,



Scott J. Rittman
Attorney for Applicant(s)
Registration No. 39,010

BECTON, DICKINSON AND COMPANY
1 Becton Drive
Franklin Lakes, NJ 07417-1880
(201) 847-6356

Doc#87703